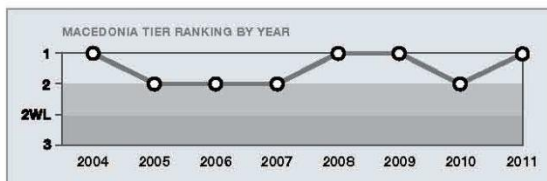


MACEDONIA (Tier 1)

Macedonia is a source, destination, and transit country for men, women, and children for sex trafficking and forced labor. Macedonian women and children are trafficked within the country. Foreign victims subjected to forced prostitution or forced labor in Macedonia can originate in Albania, Bulgaria, Serbia, and Kosovo. Macedonian victims and victims transiting through Macedonia are subjected to forced prostitution or forced labor in South Central and Western Europe. Children, including ethnic Roma, are subjected to forced begging in streets and public markets. Macedonian men are vulnerable to forced labor within the region. All trafficking victims identified by the government in 2010 were domestic citizens. According to the 2010 National Rapporteur's Anti-Trafficking and Smuggling Report, the current profile of trafficking defendants includes primarily owners of bars, night clubs, and small hotels as well as taxi drivers, club bouncers, and dancing recruiters.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government made significant strides in its law enforcement efforts to combat trafficking by convicting an increased number of trafficking offenders and prosecuting and convicting an official for trafficking complicity in 2010. The government identified an increased number of trafficking victims and opened a shelter for domestic trafficking victims in February 2011. However, the Government of Macedonia has yet to achieve a comprehensive victim-centered approach to trafficking. Implementation of proactive identification procedures among local-level police and other front-line responders remained an ongoing concern. Accurate identification of trafficking cases and conflation of human trafficking with other criminal activities continued to be problems, raising the risk that unidentified trafficking victims could face continued exploitation or deportation, and not benefit from assistance.



Recommendations for Macedonia: Ensure that shelter and reintegration services available to Macedonian and foreign victims are comprehensive; ensure that NGOs are funded and active partners in the provision of victim services and reintegration; provide more incentives for foreign trafficked children and adults to stay in Macedonia long enough to assist in bringing their traffickers to justice; develop specialized assistance for men and very young children who are trafficked; strengthen law enforcement partnerships with NGOs and others in civil society to help develop the trust of potential victims; demonstrate appreciable progress in the identification of foreign and domestic trafficking victims by ensuring proactive screening of unregistered workers in catering facilities, bars, nightclubs, construction and agricultural sectors for indications of forced labor and forced prostitution; continue the anti-trafficking unit's outreach outside of Skopje to increase identification of trafficked children and adults throughout the country; continue to build the anti-trafficking expertise of social workers; ensure law enforcement is properly trained on how to interact with child victims without exacerbating any emotional or psychological trauma; and continue to vigorously investigate, prosecute, convict and sentence traffickers, including any public officials complicit in trafficking, while ensuring the legal and human rights of victims.

Prosecution

The Government of Macedonia made significant progress in its anti-trafficking law enforcement efforts during the reporting period. The government prohibits sex and labor trafficking through Article 418(a) and (d) of its 2004 criminal code. The minimum penalty prescribed for sex trafficking is four years' imprisonment, which is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government completed a total of three trafficking investigations in 2010, arresting 25 suspects in connection with these cases. In 2010, Macedonian courts convicted 21 sex trafficking offenders, a commendable increase from zero convictions in 2009. Nine of these offenders were convicted under the government's anti-trafficking law. Sentences ranged from four to 8.5 years in prison. Macedonian law prevents sentences from beginning until the appeal process is complete; authorities confirmed that of the 21 convicted, seven are currently in jail and four are under house arrest. The government vigorously prosecuted trafficking complicity of public officials by sentencing a police officer to 8.5 years in prison for facilitating the sex trafficking of two children, setting a notable example in the region for addressing official complicity.

Protection

The Government of Macedonia improved its capacity to protect domestic trafficking victims by opening and funding a shelter for domestic victims in February 2011. The government reported identifying 12 trafficking victims in 2010, an increase from seven the previous year; though still a decrease from 15 identified victims in 2008. The government employed proactive identification techniques via its Standard Operating Procedures (SOP), but regional experts noted continued gaps in their implementation in practice, partly

due to frequent changes in the positions of public servants and police who deal with trafficking cases and victims. Local experts noted ongoing problems with victim identification, especially among local police who fail to identify trafficking victims when investigating and detecting other crimes like prostitution or sexual abuse, risking the possible punishment of victims in Macedonia for crimes committed as a direct result of being trafficked or victims not receiving the care and rehabilitation they are entitled to under anti-trafficking laws. However, the government took steps to establish sub-National Commissions to improve SOP implementation on a local level.

The government continued to fully fund a National Referral Mechanism office responsible for referral and protection of victims; one NGO report noted its effective coordination and cooperation on identified trafficking cases. The government continued its good practice of assigning a guardian to each identified child trafficking victim to help ensure a continuum of care and establish trust. The government, though, did not provide sustainable funding for this service.

The government continued to operate a reception center for foreign migrants and trafficking victims; migrants and trafficking victims were physically separated from each other and potential foreign trafficking victims received the same care and counseling as Macedonian victims. Potential foreign trafficking victims were not allowed to leave the shelter, though they were offered temporary residency permits to cooperate in the prosecution of their traffickers, which, if accepted, would allow them unrestricted movement as well as welfare and employment benefits and a transfer to the new domestic shelter. Authorities referred 15 presumed foreign victims from Albania, Bulgaria, and Serbia to its reception center in 2010, and provided them with care and assistance during their stay. However, the majority of victims did not stay in the reception center longer than 10 days, preferring to return to their home countries. Since the 2007 creation of a temporary residency permit for foreign trafficking victims, not one permit has been issued, indicating a weakness in the current implementation and regulations regarding the use of temporary residency permits.

The government had more success in convincing domestic victims to assist in bringing their traffickers to justice: 10 trafficking victims from Macedonia assisted law enforcement investigations in 2010. Macedonian authorities offered legal alternatives to the removal of foreign victims to countries where they may face retribution or hardship through both a two-month reflection period and a six-month residency permit; however, as stated above, no potential foreign victims have chosen to accept a residency permit in Macedonia.

Prevention

The Government of Macedonia sustained its anti-trafficking prevention efforts during the reporting period. The National Commission continued implementation of its 2009-2012 national action plan on human trafficking with an overall budget of \$550,000; the plan contains detailed funding directives for each responsible ministry.

It continued to conduct public awareness campaigns on trafficking in conjunction with NGOs, including in high schools in the city of Bitola, which was identified as particularly high risk for trafficking. The government also funded an NGO in the city of Struga to target vulnerable students from the villages in south western Macedonia near the Albanian border. The National Commission continued broadcasting IOM's "Buy Responsibly" campaign over state television as part of a campaign to target client demand for products produced by forced labor. In December 2010, the government's National Rapporteur published Macedonia's second annual report on trafficking and human smuggling. The report contained more comprehensive recommendations than the previous year's report, but lacked the rigorous self-critical analysis that could serve as a leading example in the region.